

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

HEALTH MAINTENANCE CENTERS,
INC., BAINBRIDGE HUMAN
PERFORMANCE CENTERS, PLLC,
ZNETIX, INC., CASCADE POINTE OF
ARIZONA, LLC, CASCADE POINTE
OF NEVIS, LLC, KEVIN L.
LAWRENCE, DONOVAN C.
CLAFLIN, CLIFFORD G. BAIRD,
KIMBERLY ALEXANDER, BONNIE
M. COUCH, STACY GRAY AND
VICKI L. LAWRENCE,

Defendants.

Case No. C 02-0153P

**ORDER APPROVING
SETTLEMENTS**

THIS MATTER came before the Court on the application of the Receiver Michael Grassmueck for an order approving individual settlements reached with Defendants Daniel L. Lynch, Don Arthur and Frank J. Ancharski, defendants in *Grassmueck v. Bensky, et al.*, No. C 04-2016P (the "Action"). The settlements pertain to the Action and *Securities and Exchange Commission v. Health Maintenance Centers, et al.*, No. C 02-0153P (the "SEC Case").

The Court has reviewed the files and records in the Action and the SEC Case, including the Notice of Settlements and Request for Order of Approval, the

1 Declaration of Michael Grassmueck, and the Declaration of Francis N. Scollan in
 2 Support of Notice of Settlements and Request for Order of Approval, to which
 3 copies of the settlement agreements (“Settlement Agreements”) were attached, and
 4 is fully advised. The Court has reviewed the settlements and the Settlement
 5 Agreements entered into by the Receiver and the Defendants.

6 NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

7 (1) The request for approval of the settlements is granted.

8 (2) The Court finds, concludes and orders that the settlements, the amount
 9 of the settlement proceeds, and the terms of the Settlement Agreements are
 10 approved and that they are fair, adequate, reasonable, equitable and prudent as to all
 11 interested parties.

12 (3) Nothing in this Order shall be construed to prohibit the Receiver from
 13 pursuing claims against third parties.

14 (4) The District Court retains exclusive jurisdiction to resolve any disputes
 15 or challenges that may arise as to the performance, validity, interpretation,
 16 administration, enforcement, or enforceability of this Order and of the settlements
 17 and any document that pertains thereto.

18 (5) There being no just cause for delay, this Order is, and is intended to be,
 19 a final decision of the Court, within the meaning of Rule 54(b) of the Federal Rules
 20 of Civil Procedure and is intended to be appealable upon its entry.

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 22 DATED: ____October 12_____, 2006

23
 24 /s/ Marsha J. Pechman
 25 Honorable Marsha J. Pechman
 26 United States District Court Judge
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